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15 Attorneys for Plaintiff  
16 BRIAN CARTER

17 UNITED STATES DISTRICT COURT  
18  
19 NORTHERN DISTRICT OF CALIFORNIA

20 BRIAN CARTER

21 Plaintiff,

22 v.

23 CITY OF MARTINEZ

24 Defendant.

) Case Number: C 06-7534 PJH

)  
) **JOINT CASE MANAGEMENT**  
) **STATEMENT AND REQUEST FOR**  
) **CONTINUANCE OF CASE**  
) **MANAGEMENT CONFERENCE**  
) **AND ORDER**

)  
)  
)  
) Complaint Filed: December 8, 2006  
) Trial Date: Not set  
)

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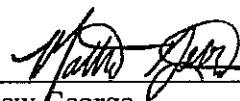
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1 The parties to the above-captioned action jointly submit this Case Management  
2 Statement.

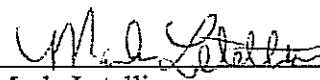
3 As indicated in the last Case Management Statement filed on January 3, 2008, the  
4 parties reached a settlement agreement at the second mediation session held on December 13,  
5 2007. This settlement agreement was approved by the City Council on December 19, 2007.  
6 On January 10, 2008, the City provided drafts of the proposed settlement documents and related  
7 side letter agreements to the Plaintiffs. The Plaintiffs are currently reviewing these documents,  
8 as well as engaging in administrative matters related to finalizing the settlement which will  
9 include finalizing the language of settlement documents, providing the City with the allocation  
10 and distribution of settlement amounts, and obtaining the signatures of all of the consenting  
11 Plaintiffs. The Plaintiffs are still evaluating the most efficient means of doing so and estimate  
12 that this process will take a few more weeks.

13 In the meantime, the parties request that the Court continue the case management  
14 conference for 4-6 weeks while the parties finalize and execute the settlement agreement and  
15 documents.

16 Dated: 2/10/08

17   
Matthew George  
18 Attorney for Brian Carter and all Consenters

19 Dated: 2/6/08

20   
Maria Letellier  
21 Attorney for City of Martinez

22 IT IS SO ORDERED:  
23

24 Dated: 2/11/08

25  
26 Case Management Conference set for  
27 March 27, 2008 at 2:30 p.m. Joint  
28 case management conference  
statement due by March 20, 2008.

Hon. Phyllis  
Judge of the



1 **PROOF OF SERVICE**

2 Case Name: *Brian Carter v. City of Martinez*  
3 United States District Court for the Northern District of California  
4 Case No.: C-06-7534 PJH

5 I, Maggie Bedig, am a citizen of the United States, and am over 18 years of age. I am  
6 employed in Contra Costa County and am not a party to the above-entitled action. My business  
7 address is Rains, Lucia & Wilkinson LLP, 2300 Contra Costa Blvd., Suite 230, Pleasant Hill,  
8 California 94523. On the date set forth below I served a true and correct copy(ies) of the  
9 following document(s):

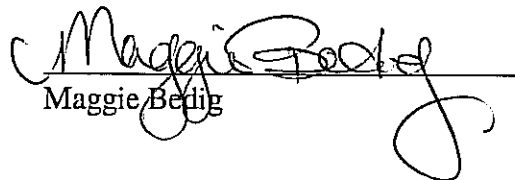
10 **JOINT CASE MANAGEMENT STATEMENT AND REQUEST FOR CONTINUANCE**  
11 **OF CASE MANAGEMENT CONFERENCE**

12 upon all parties addressed as follows and said service was effected as indicated below:

- 13 ☐ VIA U.S. MAIL – I placed true and correct copies of the above-referenced  
14 document(s) in a sealed envelope, properly addressed to the above-named  
15 parties, with postage prepaid in a receptacle regularly maintained by the United  
16 States Post Office.
- 17 ☒ VIA ELECTRONIC MAIL: I attached a true and correct copy thereof in PDF  
18 format to an electronic mail message transmitted to the electronic mail address  
19 indicated below.

20 Cynthia O'Neill, Esq.  
21 Marla K. Letellier, Esq.  
22 Liebert Cassidy Whitmore  
23 153 Townsend Street, Suite 520  
24 San Francisco, CA 94107  
25 F. 415.856.0306  
26 [coneill@lcwlegal.com](mailto:coneill@lcwlegal.com)  
27 [mletellier@lcwlegal.com](mailto:mletellier@lcwlegal.com)

28 I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct and was executed on February 6, 2008 at Pleasant Hill, California.

25   
26 Maggie Bedig